

REMARKS

Claims 1-4 and 12 have been rejected under 35 USC 102(b) as anticipated by Dallmer. Claims 6-8 have been rejected under 35 USC 103(a) as unpatentable over Dallmer in view of Rohner.

Claim 1 has been amended to distinguish over those references by stating that the hoof shoe is size adjustable, has a sole (21) fully covering the hoof from the bottom side and an insole (31) attached to the sole (21) in a length-adjustable manner.

Dallmer teaches a hoofshoe which consists of two parts, a front portion and a cap 30. The front portion includes a bottom part 10 and a wall 11 with fixation devices 12, 20, 21, 16, 22, 23, 15. The cap 30 comprises a rear wall 31, lateral strips 34, 35 and fixing devices 32, 33, 34a. The front portion and the cap 30 are fixed together with two belts 37.

The differences between the present invention and Dallmer are:

1. The bottom part 10 of the Dallmer shoe differs from sole 21 of the present invention because the bottom part has a large open space in the centre, being in the shape of a U only. Applicant's shoe 21 is fully closed providing a protection of the hoof from gravel and dirt.

2. The cap of the Dallmer shoe is not fixed to the bottom part 10 but to the wall 11 of the front part. This leaves another open space at the rear back of the hoof shoe, at the open area of the U.

The problem with the Dallmer hoofshoe is that gravel can enter the hoof shoe and rest between the hoof and the shoe, hurting the hoofed animal.

The hoofshoe of Rohner is not adjustable in size. Combining the closed sole area 5 of Rohner with the adjustable rear wall 31 of Dallmer, the open space between the sole area 5 (Rohner) and the rear wall 31 (Dallmer) would still remain.

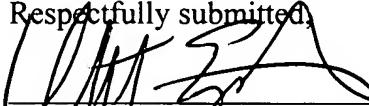
This problem is solved by applicant by employing an insole 31 of the fixing portion 30 which can be attached to the sole (21) in a length-adjustable manner.

Accordingly, it is now believed that claim 1 as amended, and claims 2-4, 6-8 and 12 dependent upon claim 1, patentably distinguish over Dallmer and Rohner whether considered individually or in combination.

Claims 5 and 9 have been rewritten in independent form including all of the limitations of the base claim.

Claims 10 and 11 are dependent upon claim 9, as amended.

Respectfully submitted,



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